

REMARKS

Claims 14-27, and 32-38 remain pending. New claims 32-38 have been added. Claims 1-13 and 28-31 are withdrawn and patentee reserves the right to resubmit these claims in a divisional application. Claims 14, 21, and 23 have been amended. No new matter has been added. Applicant respectfully requests reconsideration of the remaining claims in light of the amendments and the remarks contained herein.

Claim Rejections 35 U.S.C. § 112

Claims 15, 21, 23 and 25 are rejected under 35 U.S.C. § 112 as being indefinite. More specifically, the terms “local postage account” and “dedicated local postage account” lacked antecedent basis. Claims 14, 21, and 23 have been amended to remedy this issue. Applicant submits that the rejection is overcome.

Claim Rejections 35 U.S.C. § 102

Claims 14-16, 18, 20-21, and 24-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Pierce, et al. (U.S. Pat. 6,151,591). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Further, the elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Because the Pierce reference fails to teach each and every claim element in the above cited claims, Applicant respectfully submits that the above rejections should be withdrawn.

Claim 14 recites “connecting to a remote postage evidencing system via a local postage evidencing device, said local postage evidencing device having a local postage account” and “reducing a balance on the remote postage account without transferring the value of the postage amount to the local account.” Applicant submits that the cited art lacks the structure and functionality required to teach the recited limitations of claim 14.

Applicant respectfully submits that the Office Action appears to mischaracterize the Pierce reference when attempting to define it against the present claims. For example, Examiner appears to read the Meter Server PC of Pierce to be a “remote postage evidencing

system.” However, Pierce explicitly states that the client PC is the Meter Server PC (See Col. 5 lines 63-65; Fig. 7 items 20/(21)). The Client/Meter Server PC is local to the PSD (See Col. 5 lines 45-48, “this is a decentralized approach...because each client PC 20 having a PSD 40 attached thereto maintains accounting information...relating to transactions only at its PSD”). It is also noted that the Examiner characterized the Client PC as “local” when rejecting claim 15. (see Office Action pg. 4).

Pierce does later discuss a network server, but then explicitly states that the accounting of the system is decentralized away from the server and maintained by each PSD. (See Col. 6 lines 2-6 stating that even when transaction processing occurs at the network server 30, the accounting of funds is still decentralized to each client PC and attached PSD). In other words, the network server of Pierce can not be construed as including an “account.” As a result, nothing in Pierce can even be construed to teach “a remote postage evidencing system,” let alone a device that “reduc[es] a balance on the remote postage account without transferring the value of the postage amount to the local account.” Further, as shown above, it is clear that all postage account deductions happen at the local PC and attached PSD, thereby causing the value to be deducted from the local account. Hence, for at least the above reasons, the Pierce reference fails to teach each and every limitation of claim 14.

Claims 15-16, 18, 20-21, and 24-26 depend either directly or indirectly from claim 14, and, thus, inherits the limitations of their corresponding independent claim. Accordingly, claims 15-16, 18, 20-21, and 24-26 are not anticipated by Pierce for at least the reasons stated above. Further, the dependent claims contain subject matter that is patentable in their own right. For example, claim 15 recites “printing the desired postage amount on the local postage evidencing device without reducing a balance on the local postage account.” As shown above, Pierce teaches a system which always deducts value from a local account. Therefore, for at least this reason, Pierce does not anticipate claim 15.

Claim Rejections 35 U.S.C. § 103

Claims 17, 19, 22-23, and 27 are rejected under 35 U.S.C. § 103 as being obvious over a combination of Pierce and various other references. In order for a combination of references to render a claim obvious, all claim limitations must be taught or suggested by the

prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Claims 17, 19, 22-23, and 27 are dependent on claim 14. As shown above, Pierce does not teach each and every limitation of claim 14. Further, the Office Action does not rely on any of the other cited art to remedy the above noted deficiencies. Thus the proposed combinations, even if proper, do not teach all of the limitations of the claims.

New Claims

Claims 29-35 have been added. Support for these claims is found throughout the specification and the claims as filed, see e.g. ¶¶ [0007-0010]. Applicant submits that claims 29-34 are allowable at least because, as shown above, nothing in the cited art teaches “providing a local postage evidencing system having a local postage account...wherein the local postage evidencing system is further configured to use a selected one of the local postage account and the one or more remote postage accounts on an individual basis for postage generation transactions, and wherein the balance of the local postage account remains unchanged when the local postage evidencing system uses a remote postage account of said one or more remote postage accounts for a postage generation transaction.” Applicant further submits that claim 35 is allowable at least because, as shown above, nothing in the cited art teaches “accessing the remote postage account to purchase postage to be printed by the local postage evidencing device without accessing the local postage account.”

Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance and respectfully requests favorable reconsideration.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 61135/P024US/10303362 from which the undersigned is authorized to draw.

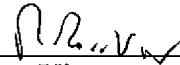
Dated: January 18, 2008

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 18, 2008

Signed: 
Jay H. Perigo

Respectfully submitted,

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